

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION**

UNITED STATES OF AMERICA : DOCKET NO. 16-cr-00291
VS. : JUDGE WALTER
BILLIE HOLMES : MAGISTRATE JUDGE KAY

**REPORT AND RECOMMENDATION ON FELONY
GUILTY PLEA BEFORE UNITED STATES MAGISTRATE JUDGE**

Pursuant to Title 28, United States Code, Section 636(b), and with the written and oral consent of the defendant, this matter has been referred by the District Court for administration of Guilty Plea and Allocution under Rule 11 of the Federal Rules of Criminal Procedure.

This cause came before the undersigned U. S. Magistrate Judge on January 17, 2017 at which time the defendant expressed a desire to waive her right to plead guilty before a District Judge and enter into a plea before the U. S. Magistrate Judge. Defendant indicated on the record her desire to consent to proceed before the undersigned and executed a waiver. Defendant was at all times represented by counsel, Cristie Gibbens.

After said hearing and for reasons orally assigned, it is the finding of the undersigned that the defendant is fully competent, that her plea of guilty is knowing and voluntary, that her guilty plea to Count One of the Bill of Information is fully supported by the written factual basis acknowledged by defendant orally in court and by her signature on the written document. This factual basis supports each essential element of the offense to which the defendant pled.

Therefore the undersigned U.S. Magistrate Judge recommends that the District Court **ACCEPT** the guilty plea of the defendant, Billie Holmes, and that she be finally adjudged guilty of the offense charged in Count One of the Bill of Information.

Under the provisions of 28 U.S.C. § 636(b)(1)(C), the parties have fourteen (14) days from service of this Report and Recommendation to file specific, written objections with the Clerk of Court. Defendant, however, waived her right to file these objections, and, accordingly, the matter is now deemed submitted to this district court for consideration. Sentencing is set for April 21, 2017, at 1:30 p.m.

THUS DONE AND SIGNED in Chambers this 24th day of January, 2017.



KATHLEEN KAY
UNITED STATES MAGISTRATE JUDGE